



20670-907224

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

Richard Allan Tuck et al.

SERIAL NO.: 09/555,559

FILED: May 31, 2000

FOR: Field Electron Emission Materials and Devices

) Examiner: Kevin J. Quarterman

) Group Art Unit: 2879

) Customer Number: 23644

)
I hereby certify that this correspondence is being deposited
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1450, Alexandria, VA 22313-1450," on September 4, 2003.

Name of person signing Jennifer J. Ramirez

Signature

RESPONSE TO FURTHER OFFICE ACTION OF APRIL 4, 2003

Honorable Director of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

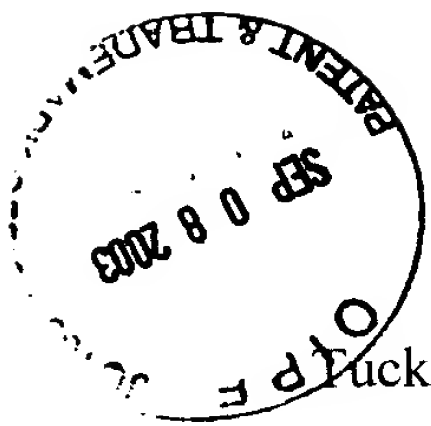
In response to the examiner's further office action, the following comments are provided for consideration by the examiner. No amendments are being offered as no amendments are believed to be necessary.

Previous objections as to various points of detail regarding the specification and drawings have been met.

The Examiner raises a new rejection under 35 U.S.C. §102 with all claims now being rejected as anticipated by US 6,097,139 (Tuck). Reconsideration is requested.

Applicant's previously submitted arguments explain the terms MIMIV, MIV I and MIV II and set out the fundamental physical differences between MIMIV and MIV I/II structures. The response mailed January 6, 2003 beginning on the third page of the remarks details the differences.

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Tuck does not disclose a field electron emission material with a MIV I structure. The only field electron emission material disclosed in Tuck is a MIMIV structure. There is no teaching in Tuck that the process illustrated in Figure 5 could be stopped at the intermediate point of Step 2. The clear teaching in Tuck is to proceed to Step 3, to arrive at a MIMIV structure.

The intermediate structure shown in Figure 5, Step 2, could not function as a field electron emission material, which is what Applicant's claims must provide. In Step 2, the conductive particles 26 are not fixed to the insulating layer 25. Any attempt to apply an electric field in that state would cause the conductive particles 26 to be pulled off the insulating layer 25.

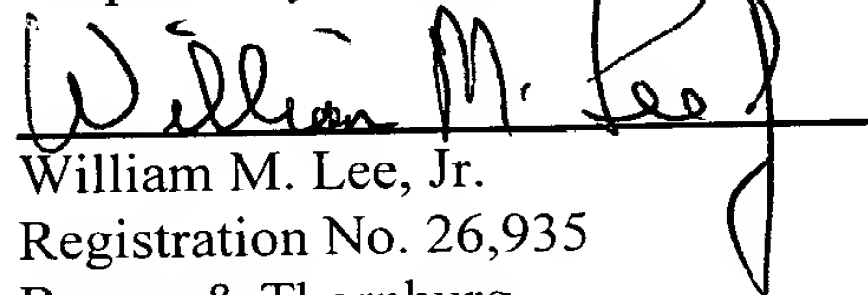
The conductive particles 26 are not fixed to the insulating layer 25 until Step 3, when the insulating coating 27 secures them in place. However, the structure in Step 3 is a MIMIV structure. There is no teaching or suggestion in Tuck of a field electron emission material having a structure other than a MIMIV structure.

The fundamental physical differences between MIMIV and MIV I/II structures are set out in Applicant's previously submitted arguments. As the claims as cast thus clearly distinguish from Tuck, it is therefore submitted that all claims are in condition for allowance, and such action is solicited.

An appropriate petition for extension of time is also submitted herewith.

September 4, 2003

Respectfully submitted,


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